

# **A LEADERSHIP VACUUM: U.S. ACTIONS IN THE SOUTH CHINA SEA**



**A MONOGRAPH  
BY  
Lieutenant Colonel Dale C. Eikmeier  
Air Defense**

**School of Advanced Military Studies  
United States Army Command and General Staff  
College  
Fort Leavenworth, Kansas**

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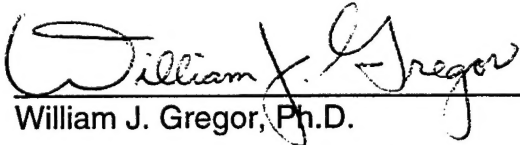
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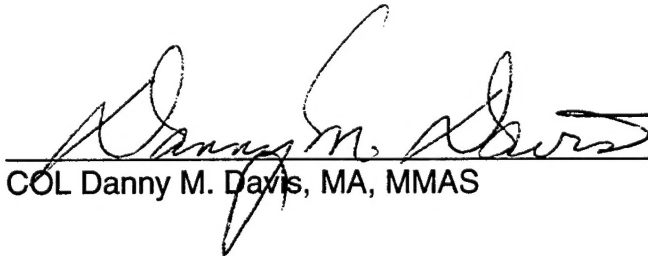
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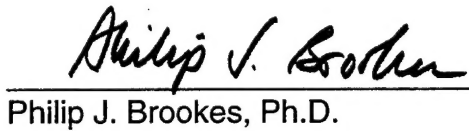
Approved by:

  
William J. Gregor, Ph.D.

Monograph Director

  
COL Danny M. Davis, MA, MMAS

Director, School of Advanced  
Military Studies

  
Philip J. Brookes, Ph.D.

Director, Graduate Degree  
Program

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## **ABSTRACT**

A Leadership Vacuum: U.S. Actions in the South China Sea Dispute, by Lieutenant Colonel Dale C. Eikmeier, USA, 45 pages.

This monograph is a case study examining the substitution of the Cold War strategy of large forward deployed military forces and nuclear deterrence for the Post Cold War strategy of global engagement and leadership and the implications of that substitution on the attainment of U.S. security objectives.

Post Cold War realities and domestic political pressures forced the United States to reduce the size of American forward deployed military forces and to remove them as a cornerstone of the security strategy. To fill the gap thus created the Clinton administration embraced a new security strategy that substituted active leadership and engagement for large forward deployed military forces. Whether engagement and active leadership can be as effective in preserving and advancing U.S. interests as large forward deployed forces is yet to be determined. However, the circumstances surrounding territorial and resource claims in the South China Sea and the actions the United States and those of the parties directly involved in the South China Sea dispute constitute a significant test case of the United States' strategy of leadership and engagement.

Many of the broader U.S. policy objectives in Asia and the Pacific cannot be achieved without a satisfactory resolution of the disputes in the South China Sea. By examining U.S. actions in the South China Sea dispute and the actions and perceptions of Asian leaders we can measure the effectiveness of the American strategy of leadership and engagement. If the United States has moved the parties in the dispute to act in a manner that promotes U.S. interests then it will be possible to conclude that the Clinton Administration's strategy has been effective and that the strategy is valid. On the other hand, if events seem to largely ignore the actions of the United States then either the United States is not engaged and exercising leadership or its chosen actions have been inappropriate and ineffective.

The examination reveals that events in the region largely ignore U.S. actions. The conclusion is that the Administration's strategy of leadership and engagement has been ineffectively applied in Southeast Asia and that the attainment of U.S. policy objectives is becoming more difficult as a result of the strategy's ineffectiveness. What the case study also shows is in the absence of an effective response by the United States events in a critical region will unfold in directions that does not benefit U.S. interests.

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## INTRODUCTION

In many instances the United States is the only nation capable of providing the necessary leadership for an international response to a shared challenge.<sup>1</sup>

### A National Security Strategy For a New Century

The East-West ideological struggle framed American security strategies throughout the Cold War. The foundations of these strategies were large forward deployed military forces and nuclear deterrence. However, the end of the Cold War and its ideological struggle required a new approach to security strategy. Post Cold War realities and domestic political pressures forced the United States to reduce the size of American forward deployed military forces and to remove them as a cornerstone of the security strategy. To fill the gap thus created the Clinton administration embraced a new security strategy that substituted active leadership and engagement for large forward deployed military forces.

Whether engagement and active leadership can be as effective in preserving and advancing U.S. interests as large forward deployed forces is yet to be determined. However, the circumstances surrounding territorial and resource claims in the South China Sea and the actions the United States and those of the parties directly involved in the South China Sea dispute may constitute a significant test case of the United States' new security strategy. The South China Sea dispute represents a significant test case because many of the states directly involved in the dispute asked or forced the United States to reduce its military presence. Secondly, the United States has little or no direct interest in the dispute. Thus, the direct interests of the United States are not immediately

at stake. Nevertheless, many of the broader U.S. policy objectives in Asia and the Pacific cannot be achieved without a satisfactory resolution of the disputes in the area of the South China Sea. This is the central problem of Post Cold War American security strategy; how to pursue U.S. policy interests in a world in which international disputes are not seen as either part of a broad struggle with communism or subject to the use of U.S. military force. By examining U.S. actions in the South China Sea dispute and the actions and perceptions of Asian leaders we can measure the effectiveness of the American strategy of leadership and engagement. If the United States has moved the parties in the dispute to act in a manner that promotes U.S. interests then it will be possible to conclude that the Clinton Administration has been able to exercise leadership to shape an environment in accordance with its security strategy. On the other hand, if events seem to largely ignore the actions of the United States then either the United States is not engaged or its chosen actions have been inappropriate and ineffective. What this examination reveals is that the United States has not yet found an effective way to advance its agenda in the context of a regional dispute in which all the local competitors have important national agendas. What the case study also shows is in the absence of an effective response by the United States events unfold in a direction that does not benefit U.S. interests.

The United States has had and continues to have vital and important interests in Southeast Asia. It is also an area where the Peoples Republic of China has important interests. During much of the Cold War U.S. interests in Southeast Asia were shaped by U.S. competition with the Soviet Union and China for influence and by the United States'

historical interest and presence in the Philippines. During and following the Cold War China pursued its national interests and has asserted its claims in the South China Sea and, thereby, has challenged United States objectives and interests in Southeast Asia. The final resolution of China's dispute with its Southeast Asian neighbors over the South China Sea and the role the United States plays in the process will indicate America's place in world affairs in the next century. The Clinton Administration has tried to define a policy in which the Peoples Republic of China is not seen as being in direct competition with the United States. That policy also seeks to define for the People's Republic of China a responsible role in international affairs. However, Chinese actions in the area of the South China Sea and the resolution of the territorial claims may not be attainable within that framework.

When examining U.S. security objectives in Southeast Asia and U.S. actions in support of those objectives it becomes clear that the Clinton Administration has chosen not to arbitrate either the dispute or the process for its resolution and has instead played the role of an observer. The Administration's failure to actively exercise leadership and engagement in the absence of U.S. military force adversely affects other efforts to attain U.S. policy objectives in Southeast Asia. It appears the U.S. cannot attain or maintain its security objectives in Southeast Asia without changing its current posture in Southeast Asia by taking an active role in settling the South China Sea disputes or by increasing its military presence.

To begin to understand the difficulties created by the diplomatic posture the United States has assumed in Asia and the Pacific, it is necessary to identify the goals the Clinton



Administration has penned for U.S. security objectives. The National Security Strategy published by President Clinton in May 1997 outlined five broad security objectives that apply to Southeast Asia:

- Maintain a strong and stable Asia-Pacific community.
- See that no critical region is dominated by a hostile power.
- Help China emerge as a responsible world player.
- Maintain the U.S. as a force for peace and a reliable security partner.
- Protect freedom of the seas and navigation.<sup>2</sup>

These objectives sought to be the basis for measuring the success of U.S. actions and the expectations of Asian leaders'. If Asian leaders are disappointed with the actions of the United States these objectives will serve to distinguish between their expectations based upon U.S. stated policy and those arising from domestic political perceptions or national delusions about U.S. goals.

### **LEADERSHIP AND ENGAGEMENT AS ELEMENTS OF THE NATIONAL SECURITY STRATEGY**

By exerting our leadership abroad, we can make America safer and more prosperous by deterring aggression, fostering the resolution of conflicts, opening foreign markets, strengthening democracies, and tackling global problems. Without our leadership and engagement, threats would multiply and our opportunities would narrow. Our strategy recognizes a simple truth: we must lead abroad if we are to be secure at home, but we cannot lead abroad unless we are strong at home.<sup>3</sup>

A Security Strategy for A New Century.

Understanding the importance of leadership and engagement is critical to

understanding the current U.S. national security strategy. When the Cold War ended the U.S. faced the need to define how it would maintain its leadership position and shape the international environment in ways favorable to American interests while decreasing defense spending. The Clinton Administration's answer to that question has been a security strategy based on active U.S. leadership and engagement; not large forward deployed military forces.<sup>4</sup> Through active leadership, engagement and other means of diplomatic and political interaction the U.S. has sought to influence governments and other political actors in ways that create an environment conducive to U.S. interests. Active leadership and engagement are key elements in the Clinton security strategy that to some degree offsets reductions in forward deployed military forces. The Clinton security strategy assumes that a world without U.S. leadership and influence will be less stable, more dangerous and more expensive to police. Therefore, the U.S. has to remain an active player in world affairs and exercise greater leadership as well.

For such a strategy to succeed, friends and foes of the United States must perceive strong U.S. leadership and resolve. To create and maintain this perception, the U.S. must regularly take diplomatic, political, and military action that demonstrates national commitment, interest, and resolve. Just as action creates the perception of leadership, inaction can be perceived as indifference or neglect. Therefore the United States must reinforce the perception of strong leadership and carefully guard against any perception of indifference. However, the United States has global interests and, although wealthy, limited resources which must be directed toward its most important objectives or opportunities. Consequently global engagement may be far more expensive than it was

initially perceived.

The challenge posed by a strategy of global engagement with limited resources forces the United States to selectively engage those regions it considers critical to its interests. Obviously some regions are more critical than others, the task for the Clinton administration is to determine which regions are critical.

### **SOUTHEAST ASIA, A CRITICAL REGION**

For some time United States policy has spoken about the importance of Asia, but the importance of Asia has seldom been weighed in terms of the cost of achieving policy objectives elsewhere. That was true because the policy of containment made it necessary to respond to communist threats wherever they arose. However, the United States does not need to do much soul searching to discover the importance of Asia. The United States has vital and important interests in Southeast Asia that it cannot ignore. The National Security Strategy states, "A prosperous and open Asia Pacific is key to the economic health of the United States."<sup>5</sup> Economic facts support this statement. In 1995 Asian-American trade created over three million American jobs.<sup>6</sup> U.S. exports to the Pacific Rim exceeded \$150 billion. American investments in Asia already exceed one-fifth of the U.S. total foreign investment and are continuing to grow. Clearly America's economic health is linked to stability in Southeast Asia.

The United States is not the only nation whose economic health is linked to Southeast Asia. The South China Sea is the crossroads of the world linking the Pacific Rim with Europe, South Asia, the Middle East and Africa. Almost half of the world's exports

originate in the Pacific Rim and depend on free movement of goods through the South China Sea. Japan and Korea's oil lifeline from the Persian Gulf pass through the South China Sea along with twenty-five per-cent of the world's ocean traffic.<sup>7</sup> The export driven economies of Malaysia, Indonesia, Brunei, and Signapore are highly dependent on open sea lanes through the South China Sea. While the South China Sea is a crossroad that facilitates economic growth and trade, it is also a critical point that if cut threatens world stability.

The United States also has military and security interests in the South China Sea. The South China Sea dispute affects Japan, Korea, the Philippines, Thailand and Australia; all nations with bilateral security treaties with the United States. U.S. global power projection depends on unconstrained movement of military forces through the South China Sea. Additionally political instability in the area of the South China Sea that threatens national economies, or other vital interests could bring some nations to the verge of war and potentially draw in the United States under its treaty obligations.

The Clinton Administration has set as an objective remaining the preferred security partner of nations in the Asia-Pacific region. However, the most important U.S. objective is bringing the People's Republic of China into the world community as a responsible member. Unfortunately, China's growing economy and national security goals provide the PRC the power and the motive to pursue its objectives without U.S. or international cooperation.

China took its first step toward challenging U.S. leadership in Southeast Asia in 1974.

At that time China chose to back its territorial claims in the South China Sea and by using military force to oppose another claimant, South Vietnam. That first effort was so small it went largely unnoticed. However, it was the start of a pattern of incremental activity that has in less than thirty years extended China's influence from the Tonkin Gulf to the shores of Indonesia and the Indian Ocean. Throughout the rest of the 70s, 80s and 90s China gradually expanded its control in the South China Sea from the Paracel Islands to the Spratlys over 600 miles from the Chinese mainland.<sup>8</sup> What started as a dispute between China and Vietnam has grown to directly involve the Philippines, Brunei, Malaysia, and indirectly Indonesia, Singapore, Japan, Korea, and the United States.

The United States remained uninterested in the South China Sea dispute until 1995 when Chinese military forces occupied Mischief Reef. Mischief Reef is also claimed by the Philippines based on their 200 mile economic exclusion zone (EEZ). The United States' initial reaction to the Chinese occupation of the reef consisted of a statement expressing concern for freedom of navigation and urging the claimants to settle their dispute with dialog.<sup>9</sup> By the mid 1990s China greatly expanded its influence in the South China Sea and the U.S. seemed only mildly concerned.

Southeast Asia is clearly a region of critical importance to American interests. Economic ties, treaty obligations, strategic power projection capabilities link American interests to Southeast Asia. Additionally it is a region where China's growing power is challenging American leadership in Asia and the Pacific. Clearly Southeast Asia is a region worthy of active engagement.

## THE SPRATLY ISLANDS AND THE SOUTH CHINA SEA

To understand the impact of the South China Sea dispute on U.S. security objectives you must understand the significance of the Spratly Islands and their role in the dispute. The Spratly Islands are not islands in the true sense since most are underwater at high tide. Maps of the area show them as "Dangerous Ground." A hazard to navigation is perhaps the best description of the Spratly Islands. The Spratlys consist of hundreds of islets, atolls, coral reefs, and rocks spread over three hundred and forty thousand square miles of the South China Sea. They stretch from the Philippines to Vietnam and six hundred to a thousand miles from the Chinese mainland.<sup>10</sup> All told they comprise a little over five square kilometers of landmass. They have no fresh water, natural harbors, or arable land and are often underwater and sit across an active typhoon track. So what makes them so attractive to so many nations?

For the nations of Southeast Asia two factors have made these "hazards to navigation" worth fighting over. The first factor is the presence of oil. The Spratly area of the South China Sea contains gas and oil fields. Based on Chinese Surveys in the 1970s and 1980s these fields may contain up to 17.7 billion tons of oil.<sup>11</sup> The next factor was an international agreement granting title to marine resources. The 1982 United Nations Convention on the Law of the Sea (UNCLOS) codified the concept of a 200-mile exclusive economic zone (EEZ).<sup>12</sup> Many of the disputed islands lie within the EEZs of the Philippines, Malaysia, Brunei, and Vietnam. Thus the Convention on the Law of the Sea gave those nations a claim to the resources found in the Spratlys within their respective economic zones. The question of who owns the Spratly Islands and the status

of the EEZs is the heart of the South China Sea dispute.

In addition to resources, China has two additional reasons for controlling the Spratly Islands. First, the Chinese consider the Spratly Islands part of China and it is a matter of national pride to exercise control over them. Secondly, the Spratlys have strategic military importance for the protection of the Chinese coastline. With some construction the Spratlys can provide China a base for military power projection throughout the South China Sea. Such a capability would enable China to threaten the economic lifeline of the Asian-Pacific nations and displace the United States as the dominant power in the region.

The Chinese capability to seriously threaten the economic and political stability of Southeast Asia is naturally a matter of great concern for Asian-Pacific leaders. It is also a concern for the United States. This concern manifests itself in the American security objective of maintaining a strong and stable Asia-Pacific community.

#### **THE CHALLENGE TO MAINTAINING A STRONG AND STABLE ASIA-PACIFIC COMMUNITY**

Some Asian leaders regard the People's Republic of China as a hostile power that is destabilizing Southeast Asia and seeks to dominate the region. Indonesia's 1995 defense White paper called attention to China's 1992 law on territorial waters and claims in the South China Sea. The paper stated.

This situation provides the potential for military conflict to emerge with other countries which also have claims in the area, with consequent disturbance to regional stability.<sup>13</sup>

Former Indonesian Foreign Minister Ruslan Abdulgani, has warned of China's "expansionist tendency, mainly southward" and said, "Beijing has questioned our

sovereignty over the natural gas-rich Natuna Islands."<sup>14</sup> Indonesia's President Suharto concerned about Chinese actions and regional instability concluded Indonesia's first and only military security agreement outside of Southeast Asia with Australia's Prime Minister Keating.<sup>15</sup> Singapore's Deputy Prime Minister and Defense Minister Tony Tan, referring to the Taiwan Strait crisis and the South China Sea dispute said, "If the region is unstable or if the countries in the region are at odds with one another, investments will shun the whole region, including Singapore."<sup>16</sup> Singapore Prime Minister Goh Chok Tong, expressed concern that, "Beijing's increasing military assertiveness and concomitant economic development has aroused feelings of great unease in the region."<sup>17</sup> These comments and actions confirm a perception among Asian leaders that Chinese actions are destabilizing the region.

Not all the nations in the vicinity of the South China sea have regarded the PRC with hostility. Until the Mischief Reef incident in 1995 and the Taiwan Strait missile tests in 1996 Malaysia had been one of China's strongest supporters in the region. However even pro-China Malaysia recognized that China's claims and willingness to use force threatened regional stability. B.A. Hamza, Director General of the Institute of Malaysian Maritime Affairs, asked: "Will the PRC continue to resort to arms as an instrument of national policy in pursuit of what others have long feared, a hegemonic scheme in the South China Sea?"<sup>18</sup> Although Malaysian Defense Minister, Najib Tun Razak, felt more optimistic and said he was, "confident that China's intention is not to affect or antagonize the interests of other nations."<sup>19</sup> It appears that the Malaysian Prime Minister Mahathir did not share his defense minister's optimism and felt compelled to visit the disputed but



Malaysian occupied island of Pulau Layang-Layangn and reassert Malaysia's claim to it.<sup>20</sup> As if to highlight the changing opinions of Maylaya's leadership, the Malaysian Navy fired on Chinese fishing vessels near Sarawak in March 1995.<sup>21</sup>

What had China done to disturb these leaders and is it threatening the stability of the Asia-Pacific community? To answer this question the history of the South China Sea needs to be examined. While territorial claims in the South China Sea have a long history the dispute itself is less than thirty years old. China and Vietnam both claim all of the Paracel and Spratly Islands on the basis of historic discovery. However, since China and Vietnam never occupied or developed the islands their historic claims have little validity under current international law and little relevance to the current dispute. Malaysia, Brunei, and the Philippines on the other hand have modern claims based on accepted international principles regarding the extension of national territory along the continental shelf or Exclusive Economic Zones found in the Convention on the Law of the Sea. Vietnam can also justify some of its claim on similar grounds.

Until recently the dispute over the islands in the South china Sea had little practical meaning because the disputed territory was uninhabitable and had little or no commercial or strategic value. That changed in the 1970s when U.S. forces withdrew from South Vietnam. The withdrawal of U.S. forces diminished U.S. influence and changed the strategic balance in the region. Later the discovery of oil, made the Spratly Islands valuable and claims of ownership worth enforcing.

The Chinese knew that South Vietnam would fall soon after the U.S. withdrawal.

The withdrawal also would give the Soviet fleet access to Vietnamese ports and former U.S. bases. A Soviet naval presence represented a threat to Chinese claims in the South China Sea, especially the Paracels. Chinese leaders concluded that they could preempt any Soviet-Vietnamese move by occupying Crescent Reef in the Paracels. In January 1974 the Chinese sent fishermen to occupy the Crescent Reef in order to draw a South Vietnamese response. Then the Chinese Navy protected their fishermen by defeating the South Vietnamese naval force sent to drive the fishermen away and by occupying Crescent Reef.<sup>22</sup> By the end of the 1970s China had almost completed its consolidation of the Paracels and was ready to push south to the Spratly Islands.

The Chinese push to the Spratlys was more complex than the Paracels. The Spratlys were farther away and several nations had claims in the area. The Chinese strategy was to take small incremental action, so not to arouse a strong response. From 1980 to 1987 China sent several survey teams to the Spratlys to determine resource requirements and to familiarize its forces with the area. Those surveys disturbed the ASEAN nations but brought no reaction from ASEAN, the U.S. or the USSR. Sensing a safe environment, China began construction in 1987 of a permanent military outpost on Fiery Cross Reef.<sup>23</sup>

Construction of permanent structures on Fiery Cross Reef was difficult. Fiery Cross Reef is 26 kilometers long and 7.5 kilometers wide, and at high tide is under a meter of water. Construction plans called for building a ship channel, a wharf, a helicopter landing pad, with hanger and a two story barracks. Construction of the ship channel required nine days of blasting on the reef. To construct the buildings and helicopter facilities the Chinese dredged the reef to obtain fill and drove steel caissons into the reef

to create 8080 square meters of land.. The Chinese completed construction in August 1988 and, thereby, demonstrated the effort they were willing to expend to turn shoal reefs into operating military stations.<sup>24</sup>

Vietnam, the Philippines, and Malaysia were well aware of Chinese actions in the Spratlys and responded by also occupying and improving portions of the Spratly Islands. Vietnam established military outposts on 15 islands and reefs.<sup>25</sup> Malaysia took a different approach. Malaysia established a combination of military outposts and tourist resorts to strengthen its claim. In 1991 Malaysia opened a tourist hotel on the disputed island of Terumbu Layang, in its EEZ. Then under the guise of supporting tourists Malaysia built a 1500 meter airstrip on the island.<sup>26</sup>

The amount of construction and in some cases blood spent in the Spratlys by the claimants attests to their commitment to their claims. The claimants have proven that with enough effort they can turn these "hazards to navigation" into airstrips, radar stations, surveillance stations, and naval support facilities. Concrete and steel have given these reefs and islands strategic value far beyond what the navigational charts suggest.

Although Chinese claims bring it into conflict with several nations in the Sout China sea, China has been more aggressive in asserting its claims to the territories sought by the Vietnamese. Because Vietnam was politically isolated, China chose to enforce its claim to the Spratly Islands by challenging Vietnam. After Vietnam invaded Cambodia in 1978 Vietnam had few supporters in the world. China felt comfortable that others would view its challenge to Vietnam in the context of a historic Sino-Vietnamese conflict and not as a

threat to the other nations of the region. After repeated Chinese-Vietnamese confrontations a small battle took place on March 14, 1988.<sup>27</sup> Although a minor skirmish, the Chinese claimed a victory and the incident highlighted the seriousness of the situation. China found that Vietnam would fight and not easily yield. More importantly this incident failed to incite a response from the U.S. other than a desire for a peaceful settlement and demonstrated that the U.S. had no strong opinion on the dispute.

The 1988 clash with the Vietnamese coupled with the 1989 Tiananman Square massacre, raised international concern about China's willingness to use force. Chinese leaders in turn adopted a less aggressive approach and to tried to reduce tensions in the region. In August 1990, Chinese Premier Li Peng proposed bilateral discussions on joint development of the region's natural resources.<sup>28</sup> However, his offer of discussion did not include the key issue, sovereignty.

Sensing a change in the Chinese attitude, Indonesia hosted, the first meeting on settling South China Sea disputes in July 1991. At the first meeting, the Chinese Director of Asian Affairs, Wang Yingfan, outlined China's position. China still claimed sovereignty over the Paracels and Spratlys. China offered to explore economic cooperation in the South China Sea and recommended that such an organization for cooperation be established. (Such an organization would essentially be a de-facto recognition of China's claim and cause the forfeiture of Vietnam's, Malaysia's, Brunei's, and the Philippines EEZs.) Wang called for peaceful settlement of territorial disputes and asked that all parties exercise self-restraint and avoid complicating the situation. He emphasized that China opposed the creation of any international organization for the

settlement of territorial disputes and insisted that all disputes be settled bi-laterally. China also opposed efforts by countries outside the region (Japan, and the U.S.) to become involved in the resolution of the disputes.<sup>29</sup>

China's ground rules appeared to replace military action with discussion. However, nothing really changed. China essentially prohibited any economic development in the South China Sea not adhering to Chinese terms. China refused to discuss sovereignty and only agreed to hold official discussions in bilateral forums, where it could maximize its advantage. China's proposal also effectively excluded other concerned nations such as the U.S. and Japan from the discussions. The promise of discussions did bring about reduced tensions and the appearance of progress. However, they produced nothing substantive and only reinforced the unstable status quo.

While China asked others to act with restraint and avoid provocation, she continued actions to strengthen her own claims. Chinese naval forces continued to conduct surveys and to emplace sovereignty markers. In February 1992 the Chinese National Congress passed the territorial sea law. The law codified China's claim to all of the Spratlys and several other disputed islands.<sup>30</sup> Later that spring China granted oil concessions to Crestone Energy Corporation of Denver Colorado. These concessions are in the Vanguard Bank area of the western Spratlys, an area claimed and occupied by Vietnam.<sup>31</sup> By the end of 1992 China established nine military outposts in the Spratlys. So despite talking about restraint and the avoidance of provocation China continued to strengthened its position in the South China Sea.

The dispute entered a new phase 1995. Since no party to the dispute accepted China's offer of bi-lateral talks or cooperative exploitation of resources Chinese leaders under domestic pressure to continue extension of its control of the Spratlys authorized the occupation of Mischief Reef. In February 1995 Chinese military forces occupied Mischief Reef which the Philippines claim as part of their EEZ, and established a military radar station. The seizure of Mischief Reef signaled a change in China's previous pattern of behavior. Before Mischief Reef, China only challenged Vietnam, an isolated non-ASEAN member. With Mischief Reef China now challenged the Philippines, an ASEAN member with a mutual defense treaty with the United States. Mischief Reef offered the Chinese a low cost test to gage U.S. commitment in the region and the reaction of the ASEAN nations.

The initial American reaction to the Mischief Reef incident was a mild statement expressing concern for freedom of navigation and hope for peaceful solutions. The United States did not issue a formal statement on the issue until May 1995, three months later.<sup>32</sup> ASEAN countries on the other hand were united in their condemnation of China. In reaction to ASEAN's unified position and diplomatic pressure, China permitted ASEAN's 1995 Regional Forum (ARF) to add the dispute to its meeting's agenda. China's willingness to acquiesce on the ARF agenda did not constitute Chinese consent to formal negotiations in a multi-lateral forum.<sup>33</sup> However, China's conciliatory response allayed some fears and diminished criticism of China. Meanwhile China continued to expand its control and influence in the South China Sea through the construction of air and naval facilities in the disputed areas. By her actions China continued to put stability

of the region at risk. China's history of aggressive action in the South China Sea, the Taiwan Straits and statements by many Southeast Asian leaders indicate that governments in the region believe the stability of the region is at risk. Thus, the Chinese threat to regional stability poses a serious, direct challenge to the U.S. objective of maintaining regional stability.

Maintaining a strong and stable Asia-Pacific community is one of the key elements in the Clinton Administration's national security strategy. The 1997 national security strategy states, "A prosperous and open Asia is key to the economic health of the nation."<sup>34</sup> Obviously the United States has an interest in promoting peace and stability in this critical region however, the ongoing dispute in the South China Sea threatens that interest. The question is then what is the United States doing to remove this threat to regional stability?

For almost 50 years the United States has maintained stability in Asia and the Pacific by the presence of military forces. Those forces, along with bilateral treaty alliances with Japan, South Korea, Australia, Thailand and the Philippines, demonstrated America's commitment to Asian Pacific security and were tangible evidence of U.S. commitment to its friends and allies. That commitment provided the basis for a secure and stable environment in which Asian Pacific countries could develop economically and advance democratic values.

However, when the Philippines ended U.S. basing rights much of the U.S. military presence was eliminated in Southeast Asia. What military presence remains in Asia is

still comparatively large, but it is focused on Korea and Northeast Asia. U.S. preoccupation with the Korean peninsula creates among ASEAN nations the perception that the U.S. is uninterested in Southeast Asia. According to political scientist Allen Whiting, Asian leaders have a growing perception that, despite U.S. words, the U.S. will continue to reduce its presence and influence in Asia.<sup>35</sup> Mark Valencia, Senior fellow at the East-West Center, claims many Asian leaders feel that the United States is no longer the guarantor of peace and stability in the Asia-Pacific region.<sup>36</sup> In their view the United States has abdicated its leadership role by failing to take an active role in the settlement of the South China Sea dispute. Combined military exercises with Southeast Asian militaries and periodic portcalls by U.S. Navy vessels serve as a substitute for stationing forces in the area. However these types of activities are easy. The real test of the U.S. commitment and leadership is how the U.S. responds to tough issues.

What has the United States done to respond to the dispute and stabilize the region? The answer is very little. According to Mark Valencia, until the Mischief Reef incident the Clinton administration had distanced itself from the dispute.<sup>37</sup> It took the Mischief Reef incident and the prompting from Congress and Senate to motivate the administration and State Department to issue a formal statement on the South China Sea disputes in May 1995.<sup>38</sup> In that statement the U.S. State Department took no position on individual claims and stressed U.S. commitment to:

- Freedom of the sea.
- Opposition to the use of force to settle the dispute.



- Support for 1992 Manila Declaration (a call for peaceful settlement) and the Indonesian hosted discussions on conflict resolution.

The U.S. statement was clearly inadequate. Southeast Asian countries were looking for support in opposing China's aggressive assertion of her claims in the South China Sea but found none from the only power capable of influencing China.

What was needed was evidence that the United States was still interested in maintaining the peace and stability of the region; action that would have demonstrated that the U.S. was still a reliable security partner and a force for peace. The U.S. could have taken this opportunity to sponsor or push for a conference on resolving the claims. In U.S.-Chinese bilateral discussions the Spratly dispute could have been raised to the same level of importance as trade, human rights, and nuclear non-proliferation issues. The U.S. could have also signaled its concern by high level diplomatic visits to the region. Even the movement of a carrier battle group temporarily to the region would have reassured friends and allies and demonstrated that the U.S. was serious about ending the dispute. What the Clinton Administration did was none of these and in April 1996 Winston Lord, the Assistant Secretary of State for Asian-Pacific Affairs, committed the United States not to leading but following when he said:

We welcome any diplomatic initiatives which support mutual restraint by all claimants and ease tensions in the South China Sea. We reiterate our willingness to assist in any way the claimants deem helpful.<sup>39</sup>

Lord's statement is about supporting initiatives, exercising restraint and easing tension and not about addressing resolution of the dispute. Words such as "welcoming" and phrases like "willingness to assist" provide passive support, not active involvement. The

evidence shows that as long as the dispute does not interfere with freedom of the seas the United States is not ready to lead any diplomatic initiative on the South China Sea dispute.

The South China Sea dispute is the most destabilizing issue in Southeast Asia and the Clinton administration has largely ignored it. The administration has replaced leadership and engagement with weakly worded statements of concern. It is no surprise that Southeast Asian leaders question American leadership.

### **NO CRITICAL REGION DOMINATED BY A HOSTILE POWER**

The 1997 National Security Strategy states that,

In general, we seek a world in which no critical region is dominated by a power hostile to the United States and regions of greatest importance to the U.S. are stable and at peace.<sup>40</sup>

One of the most important American foreign policy questions is whether or not China is a hostile power and will it dominate Southeast Asia. Chinese actions suggest an intention to dominate events in the area of the South China Sea. These actions indicate that the answer to both these questions is yes.

Since 1972, the United States has sought to guide China's development in a positive direction. U.S. objectives have included and currently include; bringing China into a market based world economy; encouraging the growth of democracy; improving human rights within China; and making China a responsible member of the world community. The fact that U.S. policy objectives have as their core a desire to change Chinese behavior indicates that China and the U.S. have different views on what they consider acceptable behavior.

The basic core values of China and the United States fundamentally oppose each other. The United States values democracy and individual freedom. It sees the role of government as supporting and protecting individual liberties. China is an authoritarian and Confucian nation where the individual's duty is to serve the greater good of society. Chinese culture discourages individualism and praises conformity and teamwork. The U.S. speaks openly of bringing democracy and human rights to China.. The United States bases its foreign policy on "global leadership" and the export of "universal principles" that it wishes to impart to China. China, with a civilization thousands of years old, seeks its own way and resents "barbarian" interference in its internal affairs. How could the Chinese leadership view U.S. policy objectives as anything but hostile to Chinese culture and the Chinese way of doing things? According to the former editor of *The China Quarterly* and political scientist David Shambaugh, "America's superpower status and liberal internationalism are the antitheses of China's (official) national identity."<sup>41</sup> Consequently there is little basis for friendship and much for antagonism and hostility. The conclusion is because of differing values and interests American and Chinese objectives will clash more than they will complement. Therefor relations between The U.S. and China will basically be hostile.

While U.S.-PRC relations may be considered hostile the hostility will only be relevant if China is hostile to its neighbors and attempts to dominate the region. China is the strongest economic and military power in the region and that power continues to grow. China's economy is second only to the United States.<sup>42</sup> Its military capability includes the world's largest army, intercontinental ballistic missiles, a growing force of

nuclear and conventional submarines, and development of amphibious ships, and carrier-capable aircraft.<sup>43</sup> There is no doubt that China's military can dominate the region if it is allowed to and if it chooses to do so. The question is does China want to dominate?

China, according to Richard Bernstein and Ross Munro, believes it has a historic legacy to great power status and domination of Asia.<sup>44</sup> The direction of China's military modernization program indicates that it is seeking great power status. While most nations are reducing military spending China is increasing defense spending at a rate of 12 to 15 percent a year.<sup>45</sup> The main modernization efforts focus on long range air and blue water naval forces. The purchases of aerial refueling tankers, the stationing of amphibious rapid reaction forces on Hainan, construction of runways in the Paracels, and radars in the Spratlys, the purchase of SU-27 fighter bombers and Kilo Class submarines and efforts to acquire aircraft carriers, are actions designed to provide China the ability to project military power beyond its shores.<sup>46</sup>

An indicator of China's strategic intention is its movement into the Indian Ocean. China has constructed three highways from Yunnan province into Burma and has established naval bases on the Burmese islands of Mergui and Cocos. The naval base at Mergui sits near the western entrance to the Strait of Malacca, the strategic link between the Indian and Pacific Oceans.<sup>47</sup> The Chinese presence in the South China Sea and at Mergui places it in a position where it can control both ends of the world's most important strait. Does China need these bases for defensive reasons or are they part of a military capability aimed at intimidation and strategic leverage? China will argue it is the former. However, some of its neighbors see it as the latter. Indian and Japanese

diplomats have expressed concern about the Chinese military presence in Mergui.<sup>48</sup> Thailand's Defense Minister Chawalit Yongchaiyut on a visit to Beijing in 1995 also expressed concerns over China's actions in Burma.<sup>49</sup> There are couple reasons for China to build an offensive military capability when it experiencing the most benign security environment in its modern history. China wants to ensure it is never invaded and humiliated again. China also seeks the capability to regain what it considers lost territories and to achieve great power status by dominating the region and beyond.

China has three forces driving its quest to dominate the South China Sea: nationalism, resource needs, and strategic security requirements. Each force alone might be sufficient to justify Chinese policy and together they form a solid triad for a Chinese version of "Manifest Destiny." Understanding the importance of these forces is essential to understanding Chinese policy in the South China Sea and how it affects regional stability and U.S. security interests.

### **Nationalism**

The most visible expression of Chinese nationalism in regard to the South China Sea was an act of the National People's Congress. On February 25, 1992, the National Peoples Congress of China enacted "The Law of the People's Republic of China on its Territorial Waters and Their Contiguous Areas."<sup>50</sup> This law asserts China's claim to sovereignty over the South China Sea islands, including all of the Paracels and Spratly Islands, and their adjacent waters. By this act China announced that it does not view the Spratly Islands as disputed territory. It is sovereign Chinese territory, partly occupied by

foreign powers. Beijing asserted not only a legal claim but also the moral authority to reclaim all occupied territory. (China's bases its "sacred" and "inalienable" claim on two thousand year old records and long use by Chinese fishermen.<sup>51</sup>) To bolster its prestige among the Chinese people Beijing has fostered the concept of "*haiyang guotu guan*" (sea as national territory). Chinese media have also directed attention to the fact that over thirty Chinese islands are in the hands of foreigners.<sup>52</sup> A March 11, 1988, article in the government controlled *Jiefangjun bao* called defense of the "*haiyang guotu guan*" a sacred mission.

In order to make sure that the descendants of the Chinese nation can survive, develop, prosper and flourish in the world in the future, we should vigorously develop and use the oceans. To protect and defend the rights and interests of the reefs and islands within Chinese waters is a sacred mission. The reefs and islands in Chinese waters have been invaded and occupied on several occasions. For instance, since the 1970s the Spratly Islands have been occupied by foreign countries. The Chinese government has solemnly declared many times that these islands and reefs are within Chinese territory and other countries are definitely not allowed to invade and occupy them. The Spratly Islands not only occupy an important strategic position, but every reef and island is connected to a large area of territorial water and an exclusive economic zone that is priceless... The defense of the territorial unity and the protection of the rights and interests of oceans are significant to the security and development of the country.<sup>53</sup>

Beijing has made recovery of the Spratlys and assertion of Chinese control of the South China Sea a matter of national prestige. Three days after the publication of the *Jiefangjun bao* article Chinese and Vietnamese naval forces clashed and a Vietnamese ship was sunk. Deng Xiaoping shortly after the incident cabled his congratulations and thanks to the Chinese navy.<sup>54</sup> Since that incident the Chinese leadership has taken a rather uncompromising position on the South China Sea Islands and has continued to expand Chinese military and economic activity in the Spratlys.

## Resources

The second leg of the South China Sea triad is the drive for resources. The need for resources to feed a growing population and to supply developing industries has directed the attention of Chinese leaders towards the resources of the South China Sea as part of the solution. The following quote from the Chinese ideological theory department of the *zhongguo qingnian bao* illustrates this point.

In terms of resources, the South China Sea holds reserves worth \$1 trillion. Once Xinjiang has been developed, this will be the sole area for replacement of resources, and the main fall back position for *Lebensraum* for the Chinese people in the coming century. Development southwards is perhaps a strategic orientation that we will have to choose.<sup>55</sup>

Articles such as this provide a pragmatic justification for holding the Spratly islands.

To be a global power China must modernize and modernization requires vast amounts of resources. One of the most critical elements of China's modernization program is oil. Unfortunately China's rapid economic growth has outpaced its oil production and China is now dependent on imported oil for almost 17% of its needs.<sup>56</sup> If modernization is to continue, estimates say that by the year 2010 China will require 100 million tons of imported oil a year.<sup>57</sup> Like any industrialized nation, China must have access to secure oil supplies. Although not the only source for oil, the South China Sea is promising and plays a large part in China's economic development plans. The need to guarantee access to the South China Sea's oil resources is in part driving the transition of the People's Liberation Army's Navy (PLA-N) from coastal defense to blue water power. However oil is not the only resource challenge facing China.

Increasingly China is turning to the sea as a source of food. Although the fishing grounds of the South China Sea are not great, they, nonetheless, make a contribution to China's overall sea harvest. However, China is not alone in this quest for fisheries. International competition for dwindling marine resources contributes to the South China Sea dispute. The interception and detention of fisherman from other claimants is currently the main source of incidents. As with oil, any South China Sea solution must address fishery management.

### **Strategic**

Strategic location is the last leg of the triad. For China the greatest value of the South China Sea is not its contribution to nationalism or resources but its strategic influence. The purpose of the Chinese military build up, according to Dr. Samuel S. Kim of the East Asian Institute of Columbia University, is to increase China's "national awesomeness" (*guo wei*) and its "political influence" (*zhengzhi yingxiang*).<sup>58</sup> The ability to dominate the South China Sea gives China "national awesomeness" and "political influence" in the region. Geographical position will produce direct political influence and provide the PRC the capability to project air and naval forces into the South China Sea. The PRC may accrue additional influence by displacing the United States as a power in the region.

China's first strategic objective is defensive. China, like any nation fears encirclement by potentially hostile or competitive powers. Three times this century hostile powers have encircled and threatened China. First it was the Japanese in the 30s



and 40s who invaded China and dominated Northeast and Southeast Asia. From 1950 through 1990 the U.S. was the primary encircling power. Starting in the 1970s and up to 1990 the Soviet Union completely surrounded China with its influence in India, Afghanistan, and Vietnam and its strong fleets in South and Northeast Asia.<sup>59</sup> Naturally, whenever it was within China's power to break the encirclement it did. When it could break the encirclement, it pushed its own sphere of influence outward to prevent future encirclement. The withdrawal of the Soviet Fleet from Vietnam and the U.S. fleet from the Philippines created a strategic window for China. China seized the opportunity in Southeast Asia, and pushed its sphere outward, first from the Paracels and then to the Spratlys. The Chinese military build up and expansion in the South China Sea creates the sphere and provides China with some of the "awesomeness" and "political influence" that it desires.

Recent Chinese actions indicate that China is using its economic and military prowess to intimidate its neighbors. China's 1996 missile test in the Taiwan Straits is the most recent example. The intent of the test was to influence Taiwan's elections and to demonstrate that China would not tolerate any move towards recognition of Taiwan as a nation separate from China.<sup>60</sup> China is also pushing its dominance into international waterways.

The current Chinese naval build up will enable China, to dominate international sea lanes stretching from the eastern Indian Ocean, through the South China Sea all the way to Northeast Asia's Yellow Sea. In 1994, the Chinese had thirty-five modern warships

(mostly destroyers and frigates) under construction with an additional forty-six planned.<sup>61</sup> China's current navy is already larger than those of the ASEAN nations and Taiwan's combined and it is rapidly modernizing; adding ship based air defense missile systems as well as new vessels.<sup>62</sup> Ship board air defense missile systems are significant. They will improve the Chinese navy's capability to operate out of range of shore based air defense. China is also attempting to acquire an aircraft carrier(s)<sup>63</sup>. A stronger Chinese navy and air force will increase the military costs and risks to the United States in the region. Whereas in the past a U.S. gunboat may have been sufficient to protect U.S. interests it may now take multiple carrier battle groups and supporting air power to protect U.S. interests. Eventually there will come a point where the cost of protecting some U.S. interests will be too high. As military and political costs and risks increase the reliability of U.S. assurances and the value of U.S. deterrent will decline.<sup>64</sup> If the cost of challenging China becomes too high for the U.S. then China will become the region hegemon. If the United States allows this to happen by not maintaining a strong political or military commitment to the region China will gain tremendous leverage over Japan, Korea, and the nations of Southeast Asia.

Domination of Asian sea lanes is one mechanism for obtaining leverage. China is already testing its ability to control shipping in the South and East China Seas. On January 27, 1994, an official Chinese vessel intercepted the Alicia Star, a Panamanian registered freighter enroute from Singapore to Korea and forced it to a Chinese port. The interception occurred more than 500 kilometers from the Chinese mainland. Chinese officials detained the ship for over a week, confiscated its \$5 million dollar cargo of

cigarettes, and imposed a fine before releasing it.<sup>65</sup> (Panama and the ships foreign owners were not going to waste their time challenging legality of the seizure) Japan has claimed 78 incidents of Chinese ships interfering with international shipping between 1991 and 1993. Only after the Japanese protested and made economic threats toward Beijing did the situation improve.<sup>66</sup> Chinese interference with Russian shipping only stopped after the Russians sent a naval flotilla and threatened to use force to protect its ships.<sup>67</sup> Even the U.S. Navy is not immune to Chinese attempts to close international waterways. During the 1994 North Korean nuclear program crisis a Chinese nuclear submarine and F-6 fighters sortied out against the USS. Kitty Hawk which was conducting a show of force operation in the Yellow Sea. The Chinese government controlled press then criticized the U.S. for even being in China's Yellow Sea.<sup>68</sup> These actions indicate the Chinese are trying to discourage legitimate use of international waterways in areas they considers traditional Chinese waters.

The International Maritime Organization raised the issue of Chinese interference with shipping at the United Nations in March 1994. Beijing excused its behavior by asserting that it lost some control over its forces. Beijing claimed that many of the incidents were the work of "rouge or overzealous" security forces.<sup>69</sup> However, Mazlan Abdul Samad, of the International Maritime Organization, questions the ability of rouge units to coordinate the seizure of ships and detention and confiscation of cargo without official sanction.<sup>70</sup> Many believe that China is deliberately exercising extra-territorial authority over the South and East China Seas through "official piracy." If unchallenged, these acts could intinidate governments in the region. As one Indonesian naval officer said, "We suspect

that the Chinese are deliberately staging this piracy, using their navy, as another way to assert their sovereignty.”<sup>71</sup>

In the absence of a counter-balancing power, the strategic dominance of China over Southeast Asia will continue to grow. China’s improving military strength, its willingness to use intimidation, and its attempts to control sea lanes will, if it has not already, make China the dominant power in a region, a power hostile to United States regional security goals. According to the Philippines Under-Secretary of Foreign Affairs, Redolfo Severino, China has already achieved this status. He said.

We would rather settle the sovereignty (Spratly Islands) question, but the Chinese are not ready. They have never really defined the regime under which they claim the waters. All they say is that they have sovereignty over the entire area. Of course if you consult the Law of the Sea that is nonsense. But China is a military power.<sup>72</sup>

It appears that the Philippines is willing to sacrifice some of their own interests in the face of Chinese power. Former Philippine Defense Minister, Rafael Ileto, claimed that then President Corazon Aquino considered giving up the Philippine’s Spratly claim because the risk and cost of defending them was “too high.”<sup>73</sup> Even after the Mischief Reef incident the Philippines sounded like an apologist for aggressive Chinese behavior. In a January 1996 confrontation between the Philippines Navy and two Chinese naval vessels, the Philippines downplayed the issue so as not to antagonize China and to cover up its own ability to protect Philippine territory. The Philippine government even made excuses for China by saying the Chinese ships were not PLAN (People’s Liberation Army Navy), but rather Chinese militia boats.<sup>74</sup> That explanation lacks merit. While the Chinese militia has boats, they are coastal patrol vessels that remain very close to the

Chinese mainland.<sup>75</sup> Either way the vessels were agents of the Chinese government, something the Philippines wanted to downplay.

The Philippines is not the only nation that feels Chinese pressure. A senior ASEAN official speaking on the condition of anonymity stated that Malaysia had given in to China and agreed that the bilateral talks should be the forum to resolve the dispute. "Let's face it China is too big and powerful. If it says it won't accept the multilateral approach there is no point pushing it."<sup>76</sup> Thailand, which has a mutual defense treaty with the United States, refused an American request to locate prepositioned military supplies in Thailand in part due to Chinese pressure.<sup>77</sup> The message for Asian-Pacific nations is that, in the absence of a counter balancing power (the United States) they will have to consider China's interests when making any foreign policy decision, even at the expense of their own interests. If this situation continues the U.S. will find it more difficult to influence situations in this important region of the world.

The United States recognizes China's status as a legitimate regional power and by virtue of its strength a major player in the region.<sup>78</sup> The current U.S. policy is not to prevent Chinese domination (containment) but to ensure U.S.-Chinese relations are cordial if not totally friendly. The United States only wishes to prevent hostile powers from dominating regions important to the U.S.. As long as the dominant power is not hostile to U.S. interests and is no threat to peace and stability its dominance is not an issue. The Clinton Administration believes that through engagement and Chinese integration into the world market economy China's actions will no longer be hostile. By bringing China into the world community as a responsible player the Clinton

Administration will attain their objective of preventing domination of Southeast Asia by a hostile power.

A strategy for ensuring that China does not become a dominating hostile power should have two parts. First the United States must engage China to shape its behavior in constructive ways. The Clinton administration has been attempting to do this. Second the Administration must provide a framework on which regional nations can stand and resist domination by a hostile power. Instead of strengthening such a framework the United States appears to be weakening it. The belated and inadequate U.S. response to the Mischief Reef incident is one example of this weakening. What is needed is a policy that strengthens the resolve of Southeast Asian nations to resist aggressive behavior. The Clinton administration could strengthen the resolve of Southeast Asian nations' by letting them know that the United States is engaged and not just a passive observer of the South China Sea dispute. The Clinton administration could demonstrate this engagement by including the dispute in or raising its importance on diplomatic agendas and in U.S.-Chinese discussions. The administration could make a public statement supporting the principles of the UN Convention of the Law of the Sea as a basis for settling the claims. Senior level diplomatic visits to the nations involved in the dispute would also signal U.S. commitment resolving the dispute diplomatically. The U.S. could attempt to raise the issue in the UN Security Council. These and other actions would demonstrate to the nations of Southeast Asia that they do not stand alone when resisting aggressive behavior.

### **CHINA EMERGES AS A RESPONSIBLE WORLD PLAYER**

An overarching U.S. interest is China's emergence as a stable, open, secure and peaceful state. The prospects for peace and prosperity in Asia depend heavily on China's

role as a responsible member of the international community. China's integration into the international system of rules and norms will influence its own political and economic development, as well as its relations with the rest of the world.<sup>79</sup>

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The success of the Clinton Administration's security strategy for the Asia-Pacific region depends on China's emergence as a responsible member of the world community. Engagement and the rejection of a containment strategy is the Administration's means to achieve this objective.

The United States, by virtue of its sole super power status and its own security policy, has taken the lead in bringing a responsible China into the world community. According to Secretary of State Albright,

...we have in our era an unprecedented opportunity to integrate the world around basic principles of democracy, open markets, law and a common commitment to peace.<sup>80</sup>

The intent of U.S. engagement and dialogue with China is to encourage China to be a responsible actor within the international system. The challenge is to get China to accept the commonly accepted international norms on international law, trade, legal systems, conflict resolution and treaty obligations even if those norms are not compatible with traditional Chinese thought. For example the UN Convention on the Law of the Sea provides accepted principles that could be used to resolve the dispute. International Maritime Law provides principles on which to base claims of sovereignty. Unfortunately the Chinese concept of *haiyang gutu guan* and its 1992 law on territorial seas conflict with these international accepted norms. The challenge is to get China to set aside its Chinese concepts and replace them with international norms. The U.S. approach is to

convince China that if it accepts international norms its own long-term interests will be served. The United States is using the argument that China will find greater security, prosperity, and well being inside the rule-based international system rather than outside it.<sup>81</sup>

The South China Sea dispute provides the United States a means for bringing China onto the world stage and for demonstrating that China is a responsible world player. If the U.S., can persuade China to accept international norms for resolving the dispute the United States will have come closer to achieving its goal. It is, therefore, in the United States' own interest to move China and the others towards resolution in accordance with accepted international rules.

It will be difficult to convince China to accept international norms. The Chinese, "sea as territory" or *haiyang gutu guan* runs counter to international maritime law and accepted international norms on freedom of navigation and use of the sea. China has signed the United Nation's Convention on the Law of the Sea, and claims to respect freedom of navigation. However, its actions speak louder than its diplomatic words. China has not repudiated the nationalistic motivated *haiyang guotu guan*. It has not repealed or amended its 1992 law on territorial sea. It refuses to recognize the 200-mile EEZs of Vietnam, the Philippines, Malaysia, and Brunei. It is also unwilling to accept international principles in solving the sovereignty issue. All of these examples demonstrate China's reluctance to subordinate its national goals and to accept international norms as the means for resolving disputes between nations.



China's refusal to seriously discuss the dispute in any multi-lateral forum raises the question of how serious China is about accepting international norms. China prefers bi-lateral talks, even though it is a multi-national issue. The fact is any final resolution requires a multi-national agreement between China Vietnam, Malaysia, Brunei, and the Philippines. ASEAN did get China to approve adding the dispute to ASEAN Regional Forum's (ARF) agenda. However the agenda discussion did not include the issue of sovereignty which is essential to resolution. Serious talks focusing on conflict resolution have yet to occur in a multi-lateral forum. The question is who can persuade China to participate in serious discussions focused on resolving the conflict. The United States is the most logical choice.

The U.S., perhaps with the help of other asian nations such as Japan, could probably persuade China to sit down and resolve the dispute. After all China has shown a pattern in other territorial disputes of being pragmatic and willing to compromise.<sup>82</sup> However, the U.S. has taken no action in this direction. This is perhaps the most significant failing of U.S. leadership in the Asia-Pacific region.

Peaceful resolution of the dispute in an American led or American sponsored international forum would demonstrate China's good intentions and simultaneously improve the stature of the United States. It would answer the question of whether China is a good neighbor or a regional hegemon, and it would demonstrate U.S. commitment to peace and stability. Yet the United States has not taken the opportunity to lead these nations toward a settlement. A survey of State Department Dispatches from 1990 to the present shows no discussion of an active or leadership role for the U.S. in the South

China Sea dispute. The survey did show active work in trade, human rights, and nuclear non-proliferation issues but only "concern" for South China Sea disputes.

The conclusion is that as long as the dispute remains unresolved the question of China's hostility and her acceptance of international norms goes unanswered. It is the goal of American leadership and engagement to answer these questions. Unfortunately there is little evidence to show that the Clinton Administration is even attempting to answer them. To answer these questions the Clinton administration should take action to lead a diplomatic effort to resolve the dispute in accordance with the principles of the UN Convention on the Law of the Sea.

#### **MAINTAIN THE U.S. AS A FORCE FOR PEACE AND AS A RELIABLE SECURITY PARTNER.**

One of the objectives of the National Security Strategy has been to continue America's leadership as the world's most important force for peace.<sup>83</sup> The U.S. role in the Middle East peace process, the Four Party Korean Talks and the Dayton Peace Accords are recent examples of American leadership and action for peace. However, in the South China Sea dispute the U.S. has observed, listened, and occasionally commented on concerns and issues. The passive role the U.S. has played had undermined the confidence America's friends and allies had in the U.S. commitment to peace and stability. Inaction has other consequences as well.

In light of the passive U.S. role and lack of action the nations of Southeast Asia have

taken their own measures, some ineffective and some even contrary to U.S. goals. For example Indonesia and Canada have sponsored annual workshops on the South China Sea dispute since 1990. Unfortunately in seven years of talks there has been very little progress toward resolving the conflict and the talks have stagnated.<sup>84</sup> The main problem is that China ignores the workshops and refuses to seriously discuss the sovereignty issue in any multi-lateral forum. The result is a series of ineffective meetings that Dr. H. Ruslan Abdulgani, former Indonesian Minister of Foreign Affairs describes as, “coffee shop talk, full of rhetoric and empty hopes.”<sup>85</sup> These alternative initiatives have not been able to develop a genuine interest on China’s part to resolving the outstanding issues.

The U.S. has also taken actions that signal that America is not interested in playing an active role in promoting peace in the Asia-Pacific region. Since the end of the cold war U.S. security strategy in the Pacific has shifted towards multilateral regional institutions. In 1995 Secretary of State Christopher indicated that multilateral institutions (such as ASEAN) could allow the U.S. to disengage from the region as these institutions gained strength.<sup>86</sup> The possibility of American disengagement is naturally a matter of great concern to the nations that see the U.S. as the only effective counter to China.

This concern manifests itself in the current arms build up in Southeast Asia. Southeast Asian leaders feel they must increase their own military capabilities in light of growing Chinese military power and an ambiguous American commitment to Southeast Asian peace and stability. Here is a partial list recent arms purchase and agreements by nations concerned with the South China Sea:

- Indonesia has established a five-year plan to rebuild its air and naval capabilities. It has purchased 11 helicopters, nine minesweepers and 39 ships of the former East German Navy.
- Malaysia is buying maritime patrol aircraft and F/A -18s from the U.S. This is in addition to 28 British Hawk ground attack aircraft and Russian MIG-29s. Malaysia is shopping for attack helicopters and is planning to buy missile frigates, 27 patrol vessels and six naval helicopters.
- Singapore is buying a submarine from Sweden. Recent purchases include nine Fokker Maritime Enforcer aircraft from the Netherlands, and a squadron of F-15s and UH1s from the United States.
- Thailand has ordered 18 A-7 strike aircraft, two P-3 patrol aircraft and 18 F-16s and British Harriers. It is also shopping for a helicopter carrier.<sup>87</sup>
- The Philippines has increased its defense budget and is developing a modernization plan that focuses on its naval capability. However, its economy and own nationalist sentiment prevent significant purchases and resumption of close Philippine U.S. military ties.<sup>88</sup>

Dana Dillon, a Pentagon Southeast Asian desk officer, claims this arms race rather than increasing security is aggravating the stresses in ASEAN, inhibiting military cooperation, and increasing instability contrary to U.S. objectives.<sup>89</sup> These nations have many reasons for increasing their defense capabilities. Whatever their individual reasons collectively they reflect a growing concern with security and instability of the region.

New security arrangements in the region reflect a growing doubt of America's reliability as a security partner. Indonesia experiencing an on again off again military relationship with the United States established an "out of character" security agreement with Australia in 1995.<sup>90</sup> The Philippines is also trying to enhance its security. In January 1996 the Philippines and Great Britain signed a military cooperation understanding where Britain promises to retain an active naval presence in the region and expand military contacts between the two nations.<sup>91</sup>

The Indonesian and Philippine examples indicate a growing skepticism in Asia of America's reliability as a military partner. Former Singapore Prime Minister Lee Kuan Yew expressed the view of many Asian leaders when he said,

Nobody believes that an American government that could not sustain its mission in Somalia because of an ambush and one television snippet of a dead American pulled through the streets of Mogadishu could contemplate a strike on North Korea nuclear facilities like the Israeli strike on Iraq.<sup>92</sup>

Fair or not Lee Kuan Yew's statement reflects a growing perception of an America less willing to protect its interests and those of its friends and allies.

Professor Allen S. Whiting, writing for Asian Survey, concluded that Southeast Asian leaders viewed the U.S. commitment to playing a balance of power role in Southeast Asia as uncertain.<sup>93</sup> He based his conclusion on interviews with Southeast Asia leaders in 1995-1996.

America's friends and allies have voted on their perceptions of U.S. as a force for peace and its reliability as a security partner. They have voted by buying an increased military capability and the establishment of new security relationships. These votes do

not reflect much confidence in the United States as a force for peace and as the security partner of choice.

To correct this situation the Clinton Administration must take action, it cannot remain passive. It should take the lead in establishing a framework for resolving the dispute to demonstrate that it is a force for peace. It also needs to reassure its allies of the U.S. commitment to its treaty obligations.

### **PROTECTING FREEDOM OF THE SEAS AND NAVIGATION.**

The only U.S. security objective directly threatened by the South China Sea dispute and that the U.S. has been prepared to defend has been the U.S. commitment to ensuring the freedom of the sea and open navigation. The Chinese concept of *haiyang guotu guan* (sea as national territory), if put into practice, has the potential of restricting navigation through the South China Sea. It appears that China is testing its ability to enforce *haiyang guotu guan* with its “overzealous” interception of shipping in the area. As a world power, the United States has a vital self-interest in seeing that the South China Sea remains open and free.

The 1995 Mischief Reef awakened the U.S. to the potential danger of *haiyang guotu guan*. At the prompting of the U.S. Senate, the State Department issued in May 1995, a formal statement on the South China Sea disputes.<sup>94</sup> The statement made it clear that the United States would have a serious problem with any restriction of freedom of the sea and international law. In June 1995, Assistant Secretary of Defense for International Security Joseph Nye said that,

If military conflict occurred in the Spratlys and interfered with freedom of the seas, the United States would be prepared to escort and make sure that free navigation continues.<sup>95</sup>

To reinforce the U.S. commitment the 1995 Security Strategy for East Asia-Pacific Region said,

The United States has a strategic interest in maintaining sea lines of communication in the region and considers it essential to resist any maritime claims beyond those permitted by the Law of the Sea Convention.<sup>96</sup>

These policy statements, backed up by the U.S. Navy appear to have succeeded. China told the United States that its claims would not interfere with freedom of sea or navigation.<sup>97</sup> Whether this promise applies to all shipping, or just those protected by the U.S. Navy is not clear. The American government's reaction to the Mischief Reef incident helped to protect freedom of the navigation, but it did little to address the cause of the instability.

### **CONCLUSION: LEADERSHIP VACUUM**

World leaders are watching with interest how the United States deals with China and the South China Sea dispute. The America they see resembles a passive bystander on the sidelines, not a world power exhibiting leadership and acting decisively. According to political scientist Allen Whiting, Asian leaders increasingly perceive that the U.S. will continue to reduce its presence and influence in Asia.<sup>98</sup> Mark Valancia, Senior fellow at the East-West Center, claims many Asian leaders feel that the United States is no longer interested in being the guarantor of peace and stability in the Asia-Pacific region.<sup>99</sup> In their view by failing to take an active role in the settlement of the South China Sea dispute the United States has abdicated its leadership role in this critical region. U.S.

inaction on the South China Sea dispute only confirms these perceptions.

At the outset of this paper we noted the five American security policy objectives for the Asia-Pacific region. U.S. actions in that region have succeeded in only one area; protecting the freedom of the sea and navigation. The other objectives: maintaining a strong and stable Asian-Pacific community, preventing domination by a hostile power, helping China emerge as a responsible world player, and maintaining the U.S. a force for peace and a reliable security partner, have been pursued but none appear to be near attainment either because the U.S. has failed to focus its efforts toward achieving a specific goal or the goals are contradictory and, thus efforts to achieve one undermine achievement of the others.

If the United States had exercised greater leadership in Southeast Asia and had attempted to shape the environment there would be some evidence of those actions. The U.S. has repeatedly expressed concern for ensuring the freedom of seas in the region and for the peaceful resolution of the disputes in the South China Sea, but these expressions of concern have not helped resolve the disputes nor have they improved U.S. relations with the countries in the region.

The Clinton Administration goal of bringing China into the community of nations as a responsible major international actor that neither dominates her Asian neighbors nor an obstacle to U.S. goals seems as remote now as when the policy was first announced. China consistently and singlemindedly pursues its nationalist policy objectives in the region and seems to pause only when its actions provoke an international outcry. The



U.S. on its part skirts the issue of Chinese conduct in the South China Sea and instead focuses the U.S.-PRC dialogue on trade, human rights and concerns over nuclear non-proliferation. The South China Sea dispute appears to be an after thought. There is no evidence of any U.S. effort to encourage China to seriously discuss resolution of the dispute in accordance with international norms.

The silence about the South China Sea disputes in U.S.-PRC relations, nevertheless, comes at a cost to other U.S. goals; specifically the U.S. desire to promote itself as a reliable security partner. Asian leaders perceive U.S. actions as evidence of either U.S. indifference or disinterest in matters of major importance to their people or their governments. The Asian arms race, new security arrangements, and public and private statements reflect the decline in confidence among Southeast Asian leaders in the U.S. commitment to regional stability and security.

The evidence shows the Clinton Administration has no interest in taking the lead on resolving the South China Sea dispute. In the absence of U.S. involvement governments in the Asia-Pacific region have had to either take their own steps to oppose Chinese actions or they have had to make accommodations to Chinese demands. China grows stronger and fills the vacuum created by America's indifference, thereby achieving what U.S. policy is expected to oppose, dominance in the Asia-Pacific region. As the National Security Strategy says, "If we withdraw U.S. leadership from the world today, we will have to contend with the consequences of our neglect tomorrow."<sup>100</sup>

Unless the Clinton administration is willing to let subsequent administrations deal

with “the consequences of our neglect” it must demonstrate leadership. Since redeploying large military forces is not a viable option the administration must commit American leadership and diplomatic energy to resolving the South China Sea dispute. The only other option is to abandon U.S. security objectives in East Asia and admit that the United States is no longer willing to provide the leadership that the goal of a peaceful and prosperous world requires.

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- <sup>1</sup> "A National Security Strategy for a New Century" (The White House, Washington D.C.) May 1997, p. 1
- <sup>2</sup> National Security Strategy, p. 2, 5, 29, 24,
- <sup>3</sup> Ibid., p. 2.
- <sup>4</sup> Ibid., p. 2.
- <sup>5</sup> Ibid., p. 24.
- <sup>6</sup> A. James Gregor, "China, the United States, and Security Policy in East Asia" (Parameters, Summer 1996) p.92
- <sup>7</sup> Ross Marlay, "China, the Philippines, and the Spratly Islands" (Asian Affairs, Winter 1997) p. 196.
- <sup>8</sup> John W. Garver, "China's Push Through the South China Sea: Interaction of Bureaucratic and National Interests" (The China Quarterly, December 1992) p. 1008.
- <sup>9</sup> Christopher Warren, Opening remarks at the ASEAN Regional Forum, 1 August 1995, (Department of State Dispatch, 7 August 1995) p. 609.
- <sup>10</sup> Ross Marlay, p. 200.
- <sup>11</sup> Ibid., p. 200.
- <sup>12</sup> United Nations, "The United Nations Convention on the Law of the Sea" (New York, St. Martin's Press, 1983) p. 18.
- <sup>13</sup> "The policy of the State Defense and Security of the republic of Indonesia", Jakarta: Ministry of Defense and Security, August 17, 1995 p.5, Quoted by Allen S. Whiting in "ASEAN Eyes China" (Asian Survey) 4 April 1997, 306.
- <sup>14</sup> Allen S. Whiting in "ASEAN Eyes China" (Asian Survey) 4 April 1997, p. 307.
- <sup>15</sup> Ibid., p. 307.
- <sup>16</sup> Ibid., p. 309.
- <sup>17</sup> "Country's Stand on the Spratlys Dispute Reviewed", (Business Times, 17 May, 1995, p. 17, Quoted by Mark Valencia in "China and the South China Sea Disputes" (Oxford University, Adelphi Paper 298, October 1995. p. 49.
- <sup>18</sup> Quoted by Eric Hyer in "The South China Sea Dispute: Implications of China's Earlier Territorial Settlement." (Pacific Affairs) Spring 1995. Pro-Quest on-line November 1997. p. 11
- <sup>19</sup> Ibid. p. 11.
- <sup>20</sup> Mark Valencia, p. 48.
- <sup>21</sup> Ibid. p. 48.
- <sup>22</sup> John W. Garver, p.1001.
- <sup>23</sup> Ibid. p.1010.
- <sup>24</sup> Ibid. p. 1015.
- <sup>25</sup> Ibid. p. 1015.
- <sup>26</sup> Robert Karniol, "Spratly airstrip may back Malaysian claim", (Jane's Defense Weekly), September 1991, p. 552.
- <sup>27</sup> John W. Garver, p. 1015.
- <sup>28</sup> Ibid. p.1016.
- <sup>29</sup> Ibid. p. 1016.
- <sup>30</sup> Xinhua, February 25, 1992, in FIBS-China, February 28, 1992 p. 2.
- <sup>31</sup> John W. Garver, p.1017.
- <sup>32</sup> Winston Lord, Assistant Secretary of State for East Asian and Pacific Affairs, "East Asia and the Pacific" (U.S. Department of State Dispatch) May 17 1996, p. 271.
- <sup>33</sup> Craig a. Snyder, "Building Multilateral Security Cooperation in the South China Sea", (Asian Perspective) Spring-Summer 1997, p.27-28.
- <sup>34</sup> National security Strategy, 1997, p. 24.
- <sup>35</sup> Allen S. Whiting in "ASEAN Eyes China" (Asian Survey) 4 April 1997, pg. 300.
- <sup>36</sup> Mark J. Valencia, "China and the South China Sea Disputes" (Oxford University, Adelphi Paper 298, October 1995.
- <sup>37</sup> Mark Valencia, p. 26, Absence of discussion in my survey of State Department Dispatches from 1990 to 1997 confirmed Valencia's statement.

- <sup>38</sup> Winston Lord, "A Sweet and Sour Relationship: An Interview with Winston Lord" (Current History) September 1995, p. 249.
- <sup>39</sup> Winston Lord, Assistant Secretary of State for East Asian and Pacific Affairs, "East Asia and the Pacific" (U.S. Department of State Dispatch) May 17 1996, p. 271.
- <sup>40</sup> National Security Strategy May 1997. p. 5
- <sup>41</sup> David Shambaugh, "The United States and China: Cooperation or Confrontation?" (Current History) September 1997, p. 242.
- <sup>42</sup> "1997 Strategic Assessment, Flashpoints and Force Structure", National Defense University, p. 49
- <sup>43</sup> Ibid. p. 50.
- <sup>44</sup> Richard Bernstein, Ross Munro, "The Coming Conflict With China", Alfred A. Knope, New York, 1997, p. 4.
- <sup>45</sup> A. James Gregor, p. 96.
- <sup>46</sup> Richard Bernstein and Ross H. Munro, "The Coming Conflict with America", (Foreign Affairs, March/April 1997) p. 26.
- <sup>47</sup> June Teufel Dreyer, "China's Strategic view: The Role of the People's Liberation Army" (Draft manuscript prepared for the U.S. Army War College Annual Strategy Conference) April 1996, p. 19.
- <sup>48</sup> Ibid., p. 19.
- <sup>49</sup> Allen S. Whiting, p. 314.
- <sup>50</sup> Xinhua, February 25, 1992, in FIBS-China, February 28, 1992 p. 2.
- <sup>51</sup> Ross Marlay, p. 202.
- <sup>52</sup> Samuel S. Kim, "China's Quest For Security in the Post-Cold war World," (Strategic Studies Insitute, U.S. Army War College) July 29, 1996. p. 12.
- <sup>53</sup> Chi Wenyi, "Reef, islands, oceans and the future of a nation," (Jiefangjun bao) March 11 1988, in JPRS Report China, JPRS-CAR-88-018, p.33-34, Quoted by John W. Garver, "China's Push Through the South China Sea". p.1019.
- <sup>54</sup> John Garver, 1013
- <sup>55</sup> "The realities to be faced in China in the wake of dramatic changes in the USSR and strategic choices" (Zhongguo qingnian bao) Beijing, September 6, 1991. Quoted in John W. Garver. "China's Push through the South China Sea". p.1027.
- <sup>56</sup> Nigel Holloway, "For Whom the Bell Tolls", (Far Eastern Economic Review) February 2, 1995. P.14-16, quoted in Mark Valencia, "China and the South China Sea Disputes" p. 16.
- <sup>57</sup> "Business Briefing", (Far Eastern Economic Review) October 13, 1994, p. 79, quoted in Mark Valencia, "China and the South China Sea Disputes" p. 16.
- <sup>58</sup> Samuel S. Kim, p. 9.
- <sup>59</sup> Andrew Nathan and Robert Ross, "The Great Wall and the Empty Fortress" (Norton & Co.) 1997. p. 101.
- <sup>60</sup> A.D. McLennan, "Balance, not Containment", (The National Interest, Fall 1997 p. 56.
- <sup>61</sup> Richard Bernstein, Ross Munro, "The Coming Conflict With China", Alfred A. Knope, New York, 1997, p. 76.
- <sup>62</sup> June Teufel Dreyer, p. 17.
- <sup>63</sup> Ross Marlay, p. 198.
- <sup>64</sup> A.D. McLennan, p. 56.
- <sup>65</sup> Michael Vatikiotis, "Gunboat Diplomacy", (Far Eastern Economic Review) 16 June 1994. p. 22.
- <sup>66</sup> Charles Smith, "Abrupt Change" (Far Eastern Economic Review) 16 June 1994. 28.
- <sup>67</sup> Michael Vatikiotis, p. 23.
- <sup>68</sup> Richard Bernstein, Ross Munro, p. 27.
- <sup>69</sup> Michael Vatikiotis, p. 23.
- <sup>70</sup> Ibid. p. 23.
- <sup>71</sup> Ibid. p. 22.
- <sup>72</sup> Redolfo Severino, quoted by Nayan Chanda, in "Southeast Asia: Divide and Rule", (Far Eastern Economic Review) Aug. 11, 1994 p. 19.
- <sup>73</sup> The Jakarta Bisnis Indonesia, 20 February 1995, as reported in FIBS East Asia Service, 27 March 1995, p. 67.

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- <sup>74</sup> Kydo, March 1, 1996, in FIBS-EAS, 1 March, 1996, p. 56.
- <sup>75</sup> June Dreyer, p. 21.
- <sup>76</sup> Quoted in Nayan Chanda, p. 19.
- <sup>77</sup> Richard Bernstein and Ross Munroe, p. 217.
- <sup>78</sup> Based on discussion with the U.S. Pacific Command Staff, Camp Smith, Hawaii, 27 Feb. 1998
- <sup>79</sup> "National Security Strategy" May 1997 p. 24.
- <sup>80</sup> Madalien Albright, "U.S. Leadership for a Global Community and China's Emerging Role" Luncheon remarks at the Hotel DuPont, Wilmington, Delaware, 13 May 1997, (U.S. Department of State Dispatch) May 1997, p. 24.
- <sup>81</sup> Ibid. p. 25.
- <sup>82</sup> Eric Hyer, "The South China Sea Disputes: Implications of China's Earlier Territorial Settlements", Pacific Affairs, Spring 1995
- <sup>83</sup> National Security Strategy 1997, p. 29.
- <sup>84</sup> Mark Valencia, p. 54.
- <sup>85</sup> The Jakarta Merdeka (Indonesia), "PRC Prime Mover of Conflicts in Pacific" 17 March 1995, from FIBS East Asia Service 20 March 1995, p. 66.
- <sup>86</sup> Craig Snyder, p. 18.
- <sup>87</sup> Mark Valencia, "Troubled Waters" (The Bulletin of the Atomic Scientists) January/February 1997. p. 52
- <sup>88</sup> Ross Marlay. 206.
- <sup>89</sup> Dana R. Dillon, "Contemporary Security Challenges in Southeast Asia", (Parameters) Spring 1997, p. 126.
- <sup>90</sup> A.D. McLennan, p. 57.
- <sup>91</sup> Allen S. Whiting, p. 300.
- <sup>92</sup> Lee Kuan Yew, quoted in "A Conversation with Lee Kuan Yew", (Foreign Affairs) March-April 1994, p. 114.
- <sup>93</sup> Allen S. Whiting, p. 300.
- <sup>94</sup> Winston Lord, "A Sweet and Sour Relationship: An Interview with Winston Lord" (Current History) September 1995, p. 249.
- <sup>95</sup> Nigel Holloway, "Jolt from the Blue", (Far Eastern Economic Review) 3 August 1995, p. 22.
- <sup>96</sup> United States Security Strategy for East-Asia Pacific Region, The Department of Defense.
- <sup>97</sup> Patrick Tyler, "China Pledges Safe Passage for all Foreign Ships around Contested Islands" (New York Times), 19 May 1995, p. 5.
- <sup>98</sup> Allen S. Whiting p. 300.
- <sup>99</sup> Mark J. Valencia, "China and the South China Sea Disputes" (Oxford University, Adelphi Paper 298, October 1995.
- <sup>100</sup> National Security Strategy, 1997 p. 3.

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